

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH, JABALPUR.

REVIEW APPLICATION NO.42/2003
IN
ORIGINAL APPLICATION NO.628/2003.

Dated: 19/01/2004

Hon'ble Shri Anand Kumar Bhatt, Member (A),
Hon'ble Shri G.Shanthappa, Member (J).

1. Government of India,
Ministry of Railways,
Railway Board, NDLS.
2. General Manager,
Central Railway, Mumbai.
3. Dy. CAO (G), Mumbai.
4. Divisional Railway Manager,
(P) West Central Railway,
Jabalpur.

Vs.

Shri S.C.Gupta,
S/o. Shri S.L.Gupta,
Pharmacist Gwalior,
Jhansi Division N.R.

: ORDER ON REVIEW APPLICATION BY CIRCULATION ;

{Anand Kumar Bhatt, Member (A)}

Original Application No.628/2003 was presented by the applicant S.C.Gupta for getting the benefit of restructuring of cadre in accordance with the decision contained in Railway Board Memo dt. 27.1.1993 (Annexure - A-1) in the O.A. In this regard a clarification was also received from the headquarters office of Central Railway by DRM (E) Jabalpur on 29.9.1998 (Annexure P-11) in the O.A. The applicant has stated in the OA, that inspite of this, the applicant had not received the benefit of the higher grade. The said O.A. 628/2003 was disposed of by the Tribunal on 30.9.2003 in limine with a direction to the applicant to give

a self-contained representation to DRM (P) Jabalpur West, Central Railway, Jabalpur within 15 days from the date of the Tribunal's order and the DRM (P), Jabalpur was directed to decide the matter within a period of three months after receipt of such representation from the applicant. This O.A. was presented by the applicant on 9.9.2003.

2. Now, the Respondents have filed Review Application No.42/2003 on 11.11.2003 stating that the applicant was transferred from Jabalpur to Jhansi Division vide order dt. 19.10.2000 passed by DRM (P), Jabalpur. After the creation of the new West Central Railway with Headquarters at Jabalpur, the Jhansi Division now falls under the jurisdiction of Northern Railways. All the Service Records relating to the applicant have now been transferred to Jhansi Division. For this reason, the Respondents have requested that the Jabalpur Bench of the Tribunal have no jurisdiction over the case and therefore, the order passed by the Tribunal on 30.9.2003 may be recalled on the point of maintainability or in the alternative the order may kindly be recalled and suitable direction be given.

3. We have considered the case. At the time the Railway Board issued the order on 27.1.1993 regarding restructuring of certain Group 'C' and 'D' cadres and the Central Railway, Headquarters sent a clarification in regard to the applicant to DRM (P), Jabalpur on 29.9.1998, the applicant was working at Jabalpur Division. At the time the applicant was transferred to Jhansi Division in the year 2000, the two places were in the same Railway Zone of Central Railway. Now that the new West Central Railway Zone has been created with Headquarters at Jabalpur as on

...3.



4. In view of the above observations we do not find any need to review our earlier order dt. 30.9.2003. R.A. is accordingly dismissed. No costs.

(ANAND KUMAR BHATT)
MEMBER (A)

B.

पृष्ठानुसार से ओ. ए. ए. नमस्कार, दि.
यदि निम्नलिखित ...

- (1) ...
(2) ...
(3) ...
(4) ...

सूचक एवं आवेक कार्रवाई हेतु - उप रजिस्ट्रार 21 May

3.2.04